

CAPE OF GOOD HOPE, UNIVERSITY OF CALIFORNIA  
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OF THE

# SELECT COMMITTEE

APPOINTED BY THE

## LEGISLATIVE COUNCIL,

TO INQUIRE INTO AND REPORT UPON THE

# SETTLEMENT OF GERMAN IMMIGRANTS.



Published by order of the Legislative Council.

JULY, 1878.

CAPE TOWN :  
PAUL SOLOMON & CO., PRINTERS, ST. GEORGE'S-STREET.  
1878.

C. 1—78. GERMAN IMMIGRANTS.



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# REPORT

OF THE

SELECT COMMITTEE appointed by the LEGISLATIVE COUNCIL on the 11th June, 1878, to inquire and report to the Council on the SETTLEMENT OF GERMAN IMMIGRANTS lately introduced in the Colony, the Localities selected, and specially as regards those settled on the Outspan Place "Jan du Toit's River," and other Outspan Places in the Division of Worcester, and in other Divisions in the Western Province; also, as regards those unprovided for. Further, on the CLASS OF EMIGRANTS and their suitability for the requirements of this Colony, and the WORKING AND CONSTITUTION OF THE EMIGRATION COMMITTEE.

PRESENT :

Mr. HOFMEYR (Chairman),

Mr. Quin,

Mr. De Korte,

|

Mr. Brown,

Mr. Burger.

The Committee beg to report that they have taken evidence on the several matters referred to them; but that, owing to the advanced period of the session, they are unable to do more than submit that evidence to the Council, and recommend that the attention of His Excellency the Governor be called, by respectful address, to the following points:—

1. The unsuitability of a large proportion of the immigrants that have been introduced.
2. The injudicious selection of many of the sites on which the immigrants have been located.

3. The necessity of reconstructing the present Immigration Board of Cape Town, and of providing more efficient agency for the selection and introduction of the class of immigrants contemplated by the Act.

J. H. HOFMEYR, Chairman.

Legislative Council Chamber,  
26th July, 1878.



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## PROCEEDINGS OF COMMITTEE.

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*Friday, 14th June, 1878.*

PRESENT :

Mr. De Korte,  
Mr. Hofmeyr,

Mr. Brown,  
Mr. Quin.

Moved by Mr. De Korte and resolved,—That Mr. Hofmeyr be Chairman of the Committee.

The Chairman reads order in Council, dated 11th June, 1878, appointing the Committee.

Committee in deliberation.

Committee adjourns till Monday, 17th June, 1878.

---

*Monday, 17th June, 1878.*

PRESENT :

Mr. HOFMEYR (Chairman),

Mr. Quin,  
Mr. Brown,

Mr. De Korte,  
Mr. Burger.

Resolved,—That the Chairman be requested to move in Council that this Committee have power to call for papers and examine witnesses.

Committee adjourns till Wednesday, 19th June, 1878.

---

*Wednesday, 19th June, 1878.*

PRESENT :

Mr. HOFMEYR (Chairman),

Mr. Brown,  
Mr. Burger,

Mr. Quin,  
Mr. De Korte.

The Chairman reads Petition from Divisional Council of Worcester, referred to this Committee by Council on the 17th instant. [Appendix B.]

The Chairman reads order of Council, dated 17th instant, empowering the Committee to call for papers and examine witnesses.

The Rev. Dr. Hahn examined.

Capt. Risler examined.

Committee adjourns.

*Wednesday, 26th June, 1878.*

PRESENT :

Mr. HOFMEYR (Chairman),

Mr. Quin,  
Mr. Burger,

Mr. Brown,  
Mr. De Korte.

The Chairman submits letter from secretary to the Divisional Council of Worcester to himself, with enclosures. [Appendix C.]

Also copy of memorial from German immigrants, which had been sent to him by the Hon. Commissioner of Crown Lands. [Appendix D.]

Mr. Frans Petrus le Roex examined.

Mr. Gabriel de Vos examined.

Mr. Ernst Jordaan examined.

Mr. Lourens Stephan Erasmus examined.

Committee adjourns till Wednesday, 3rd July, 1878.

*Wednesday, 3rd July, 1878.*

PRESENT :

Mr. HOFMEYR (Chairman),

Mr. De Korte,  
Mr. Burger,

Mr. Quin,  
Mr. Brown.

Mr. Abraham de Smidt, Surveyor-General, examined.  
Committee in deliberation.

Committee adjourns till Monday, 22nd July, 1878.

*Monday, 22nd July, 1878.*

PRESENT :

Mr. HOFMEYR (Chairman),

Mr. De Korte,  
Mr. Brown,

Mr. Quin,  
Mr. Burger.

Committee in deliberation.

Committee adjourns till Wednesday, the 24th instant.

*Wednesday, 24th July, 1878.*

PRESENT :

Mr. HOFMEYR (Chairman),

Mr. Quin,  
Mr. Brown,

Mr. De Korte.

Committee in deliberation.

Committee adjourns till Friday, the 26th instant.

*Friday, 26th July, 1878.*

PRESENT :

Mr. HOFMEYR (Chairman),

Mr. Quin,  
Mr. Burger,

Mr. Brown.

Committee in discussion of Report.

Report agreed to, and Chairman requested to report accordingly.



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# MINUTES OF EVIDENCE.

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## COMMITTEE ON SETTLEMENT OF GERMAN IMMIGRANTS.

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*Wednesday, 19th June, 1878.*

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PRESENT :

Mr. HOFMEYR (Chairman).

Mr. Quin,  
Mr. Brown,

|

Mr. De Korte,  
Mr. Burger.

The Rev. *Dr. Hahn* examined.

1. *Chairman.*] You are a minister of the Lutheran Church?—I am. Rev. Dr. Hahn.

June 19, 1878.

2. A good many of the German immigrants recently introduced are members of that Church, so that you frequently come in contact with them in that way?—Yes.

3. Do you think the class of people that have been brought here are suitable for this country?—Not if we take the wording of the Act under which they are introduced, which says, "Agricultural Immigrants." I do not think one-tenth of those who have come out are agriculturists.

4. What are they, then?—There are some useful people among them, tradesmen and others; but there are a good many whom I should call good for nothing. Most of these, I believe, have left the colony. Some have gone to the Diamond-fields, and some have taken ship and gone away, so I do not think the majority were suitable people for the country.

5. Are you aware that many of those who left were dissatisfied?—Many were. Some of those whom I have described as good for nothing scattered over the country; some went to the Diamond-fields and some to the Kafir

Rev. Dr. Hahn, war. A part, a large percentage, were in the mercantile line, some of whom had left good situations to come here, but as they got the passage for nothing they came just to have a look at the country. Then some were dissatisfied with the quality of the land offered to them. I know two instances at least where men suitable for agricultural purposes were dissatisfied on that account, and went to Australia.

June 19, 1878. 6. Are you aware that by the contract for their introduction it was stipulated that these immigrants should not exceed fifty years of age, and that some of them are above that age?—Several are above sixty even, and to my knowledge there are two blind persons, the one a female between sixty and seventy, and one a man between twenty and thirty; but he has been sent back to Denmark, upon representations made to the Consul. My impression, however, is, that those who had to execute the Act of Parliament did not really intend to have agriculturists brought out, as on their arrival there was no provision made to accommodate them with land. What I mean to convey is, that the parties entrusted with carrying out the arrangements did not care as long as they got paid for them. Of course what I say has only reference to emigrants destined for the port of Table Bay. I am not aware of the working of the locations in the Eastern Province.

7. Is there any other information you can give us on this subject?—I have just received a petition to be presented to the Government, signed by ten of these immigrants, entreating to be assisted a little, for a short time, as otherwise they will be compelled to leave their land, so far as they have brought it into cultivation, and seek employment elsewhere.

8. Mr. *Quin*.] Do you know anything of that location from personal inspection?—No, I am not acquainted with the place myself, but I have intended to visit it.

9. Should you do so, will you be so good as write your views and send it to the committee?—I will.

10. Do you know, is it the desire of the immigrants to be settled in parties?—Yes, that is the desire of the good men; and the fact of the Government not having done so has probably been one cause of dissatisfaction.



When they arrived there was no proper land for them. Rev. Dr. Hahn,  
June 19, 1878,  
The Government telegraphed to Worcester, and some had been surveyed in the Sand Flats, and they were sent out there without anybody with them.

11. Is there any other information on this subject with which you could furnish us?—I would beg to give my views about this immigration in writing, if the committee would take it as part of my evidence.

Captain *Risler* examined.

12. *Chairman.*] You are a member and Secretary of the Cape Town Immigration Board?—Yes, I was appointed last year by a letter from the Commissioner of Crown Lands. The committee at present consists of Mr. Burrowes, chairman, Mr. Moore M.L.A., and myself acting secretary. Capt. *Risler*,

13. The board is charged with the location of German and other immigrants from the northern parts of Europe under contract with Mr. Berg?—Yes. But in the Western Province only.

14. Are all the locations in the Western Province used already?—No.

15. Which have been used?—I will furnish the committee with a detailed statement of the places appropriated for locations, with the particulars of the people upon them.

16. Who fixes upon these particular places for location?—That I could not tell. The board is furnished with plans of locations set apart by the Government for the immigrants, and the board then decides on what location the people have to be settled, and the people choose their own lots. I may mention that sometimes when a number of families were settled lots were drawn, and they occupied the land accordingly, but there was no objection to their exchanging among themselves.

17. Were the immigrants allowed to choose the location they were to go to?—Not as a rule. The reason is, that the board has to take into account whether in the neighbourhood sufficient work can be obtained for the people to earn their livelihood, as not one of the families has been possessed of means, at least so far as the

Capt. Risler. board is aware, to maintain themselves for a few months.  
June 19, 1878.

18. Is there a considerable difference in the quality of the land?—I think so, so far as I am personally acquainted with it. I do not know all the locations.

19. In locating the immigrants, have the board chosen the superior places first?—Yes.

20. And are the superior places all filled?—With the exception of “the Doorns” (Hex River.)

21. Is there a large extent not appropriated in that location. No, only a few lots are open, and very few families could be located there.

22. Is there any other location unappropriated now?—There is one Behind the Paarl, called “De Boortje,” but that only comprises a few lots, not, in my opinion, suitable for immigrants.

23. In judging of the suitability of any place for a location, does the Immigration Board consult the Divisional Council?—No.

24. As a member of the Immigration Board, can you say whether they considered it their duty to take any advice at all before locating immigrants on the spot named by the Government?—It was not in their province to do so. But when locating the first batch at Goudini, I found some of the lots totally unsuitable. I reported to the Board, and they instructed me to find out by personal inspection the suitability of the land before locating again.

25. How many were unsuitable?—To my recollection there were three.

26. Did the board ever go out to visit these places?—Two of the members, Mr. Moore and myself, visited the Jan du Toit's River and the Groene River locations. The several locations in the Cape Flats, Behind the Paarl, and Hex River, were inspected by me.

27. Jan du Toit's River and Groene River are close together?—Yes, about two miles apart.

28. In the flats how many are located?—The number will be given in the return I have promised to furnish. In the Wynberg Flats one family has built a house and commenced work.

29. Can you furnish the names of the people located



in the flats?—Yes. At the 12th mile-stone there were four families, but they have all left. Capt. Risler

30. Why?—One on account of fever ; the others went as volunteers to the front.

31. And what has become of their wives and families?—I do not know.

32. And have they abandoned their claims to land?—I take it they have, according to the provisions of the Act, which limits them to six months, but the Commissioner of Crown Lands promised to keep the land open for a year, as it was found that many of them were without any means at all.

33. But they are not all without means?—I should say they are, with the exception of some Swiss at Blanco.

34. Has it not come to your knowledge that some of them have positively refused to occupy the land offered to them because it was of too inferior a quality?—That is their opinion : not that of the Government. I cannot offer an opinion on those particular spots, but I take it that the Government, having selected those places, considered the land good for agriculture as required by contract.

35. Who takes over these immigrants when they arrive here?—The board, sometimes, the Commissioner of Crown Lands has been present at the inspection. The board gives a certificate that the contract has been complied with, so as to enable the contractor to get his money from Government.

36. Have those certificates been granted all in the same terms, or have they been qualified, as to the conditions of the contract having been properly fulfilled, or otherwise?—Whenever the board could make sure that the conditions had not been fulfilled, the certificate was modified, according to the circumstances of the case.

37. Do you know that there were two cases of blind persons?—Yes, one was only found out subsequent to the inspection ; with regard to the other, the blindness affected only one eye.

38. Can you furnish the committee with an account of the expenditure incurred in locating these people?—Yes ; I will do so.

39. Can you tell us what agency is employed in

Capt. *Risler*. Germany, or the North of Europe, in collecting these  
 June 19, 1878. immigrants?—I do not know much about it. I believe  
 the contractors have agents all over Germany.

40. Can you give us the numbers of immigrants above fifty years of age?—Yes, I will do so.

41. In regard to the flats, with your experience, and what you have seen of these people, have you any expectation that the board will locate more of them on those flats?—It seems so. The people have come there of their own free will and accord and asked for the lands. Some of them have got into the service of the neighbouring farmers.

42. Have you any expectation that the whole of the flats could be taken up?—I think so, if they could be supported for six or eight months.

43. In what way would you support them?—I would advance them say one shilling a day per adult, and less for children.

44. Are you aware that the people at Jan du Toit's River are dissatisfied, and have asked to have the land examined where they are located?—I am not aware that they are dissatisfied with the location, but I know that they have asked to have the support continued to them which was promised only for six weeks. It was in every instance explained to them, at great length, that they could not subsist on the land at the outset without means, but they claimed and insisted on taking the land, so that for the consequences they are themselves responsible, not the board, or the Government.

45. Mr. *Brown*.] Are the people who are being introduced by Mr. Berg agricultural labourers?—As a rule they are. Not those, perhaps, who come from large cities, but those who come from the smaller towns of Germany are more or less acquainted with farming work.

---

Wednesday, 26th June, 1878.

PRESENT :

Mr. HOFMEYR (Chairman),

Mr. Quin,  
Mr. Burgers,

|                      Mr. De Korte,  
|                      Mr. Brown.

Mr. *Frans Petrus le Roux* examined.

46. *Chairman.*] Mr. Le Roux, you have always resided near the Goudini Station?—Yes ; I had a farm at Jan du Toit's River for thirty-six years, but sold it four years ago, and now reside at Worcester.

Mr.  
F. P. le Roux  
June 26, 1878.

47. You know the outspan at Jan du Toit's River?—Yes ; I have known it for fifty years.

48. Can you say what is its extent?—I think about 300 morgen.

49. Can that outspan be dispensed with for travellers, considering the altered circumstances since the construction of the railway?—Never. Just as little as before.

50. Why?—Because the people coming from any part of the division to Worcester must use that outspan. There is another close to Groene River, but that has also been taken up for locations, so that unless people are allowed to outspan on the homesteads of the neighbouring farmers they have no outspan.

51. Is that portion of Jan du Toit's River now left as outspan of any use?—The surveyor informed that it is only about 100 morgen in extent. I consider it useless, because it is covered with stones and sand.

52. Is there water upon the present outspan?—The furrow conveying the water to Wyzer's Drift runs through the outspan.

53. Is there water enough on the outspan if there were no location?—If we have rains in summer there is ; but in dry summers it has happened that there is no water at all.

54. What do people in that part of the division of Worcester employ for draught purposes,—horses, mules, or oxen?—Almost entirely oxen. In that part of the country people do not use horses or mules for transport,

Mr.  
F. P. *le Roux*.  
June 26, 1878.

and oxen must have an outspan. The present reserved outspan is useless, for you cannot get to the Goudini Station without going over the locations, which extend on both sides of the road. As proprietor of Wyzer's Drift, I consider that I have a right to the water flowing over the outspan, which had never been interfered with, under a judgment of the Landdrost and Heemraden, of which I will furnish the committee with a copy.

55. In winter the place is covered with water, is it not?—Yes; I consider it almost uninhabitable in winter on account of the flooding; and in summer, if they don't take the water that flows from the drift, they cannot exist.

56. Mr. *De Korte*.] If they cut drains to carry off the surplus water in winter would that serve?—That may be done, and may partially serve, but I see no chance to have it done.

57. Mr. *Brown*.] What amount of traffic is there in that part; what number of wagons pass during the day or during the week?—I cannot tell that, but the station is often so filled with goods that they have not trucks to carry it away.

Mr. *Gabriel de Vos* examined.

Mr.  
*Gabriel de Vos*.

58. *Chairman*.] You reside at Breede River, and your farm adjoins Jan du Toit's outspan?—Yes.

59. You are therefore acquainted with the locality?—Yes.

60. Do you think that the outspan could be dispensed with by the public?—No; it is indispensable.

61. It has been brought to the notice of the committee that the place is too wet in winter for immigrants to live upon and too dry in summer for them to exist; how can that land be of use for outspan purposes?—It is good for an outspan for all that. In summer you find pasturage and the water that flows through it, but which the locations now take, and in winter it is only occasionally that the land is submerged.

62. You know some of the immigrants living on the locations?—Yes.

63. Are they getting on?—I see them at work on the ground, but I have not yet seen them reap anything.



64. Have they been there long enough to reap any crops?—Four families have been there for nearly a year. Mr.  
Gabriel de Vos.

65. Do any of them ever come to your place?—Yes. June 26, 1878.

66. For what purpose?—They come to purchase eatables—fruit, pumpkins, mealies, beans, &c.

67. Do they ever bring anything for sale to you, or to other parties?—No; the only thing they take away is wood, which they cut there for sale.

68. What kind of wood?—Shrubs of inferior quality.

69. Are they not obliged to cut this wood to clear their land?—No; they cut it near the river to make money.

70. Where does this river rise?—Above my place, on Government ground. The right to that water I always considered had been settled by the judgment of the Landdrost and Heemraden, between the then proprietors of my place, Wyzer's Drift and Waai Hoek, and we, the proprietors of these three places, have always considered that we were entitled to act accordingly.

71. Mr. *Quin.*] Do you know how many families are located there?—I believe there are six now at Du Toit's River.

72. Is the outspan used at all by carriers?—It cannot be used by travellers on the main road, but it may be used by people going to the station; but it is unfit to be used as such. Some of the locations are fifty yards off the station.

73. *Chairman.*] Are there beacons, or boundary lines and fences put up at the locations?—If there are any they are not so conspicuous as to be observed by the visitor to the outspan.

74. What sort of houses are they building?—There are none finished, but so far they are formed of rubble stones or boulders. The bricks they make out of the sandy soil and use unburnt.

75. Of what size are the houses?—They promise to be about ten by twenty feet.

76. Do you recollect that difficulties have already arisen last summer in respect of the water being turned off by these German immigrants?—Yes.

77. Will you relate the circumstances?—Jordaan, the owner of Wyzer's Drift, came with another to my

Mr.  
Gabriel de Vos.  
June 26, 1878.

place to ask for some assistance, and asked me to proceed with them to the spot where the Germans had turned off the water. I went with them and saw that they had thrown up an embankment in the river. The German was very insolent about it too, and whilst we were there his wife sent one of his children with a gun.

78. What was the gun for?—I cannot say why it was sent, but I take it to be that it was sent to the German to defend himself.

79. Mr. *Quin.*] Can the immigrants get the water on their lots without throwing up such embankments as you have mentioned?—No. And the embankment alone is not sufficient; even with it the land is useless.

80. Mr. *De Korte.*] Did not the neighbours, previous to the location being established, use the outspan for their own purposes?—No; the cattle occasionally run over by accident, but it is not intentionally used by any one of us. And because the neighbours occasionally trespass on the outspan travellers occasionally trespass on our property, and we say nothing about it.

81. Mr. *Quin.*] Between whom was that dispute which was settled by the Landdrost and Heemraden?—That will appear in the judgment. I don't know their names. It was before my time. I will put in copy of the judgment. (See Appendix.)

82. Mr. *De Korte.*] Has any other person any right or interest in the water besides you three farmers?—No.

Mr. *Ernst Jordaan* examined.

Mr.  
*Ernst Jordaan.*

83. *Chairman.*] You are acquainted with the outspan at Du Toit's River?—I was born there, and lived all my life in the immediate neighbourhood, and I consider that outspan indispensable.

84. Does the fact that they have a railway not make any difference?—No.

85. If the Germans are allowed to take the water running over the outspan of Wyzer's Drift can the owners of Wyzer's Drift, which is now divided into two farms, retain their position?—No; it is not possible.

86. Are you aware that, in consequence of the water having been diverted last summer, damage was sustained

by the owners of Wyzer's Drift?—Yes; owing to the diversion in the dry season they suffered much damage. They were prevented at times even from having water for distilling purposes. Their gardens dried up and they were damaged, but I cannot tell to what extent. The stream itself is at times so weak that, without any interference with the outspan, it has ceased to flow in any quantity to Wyzer's Drift.

Mr.  
Ernst Jordaan.  
June 26, 1878.

87. How large is the garden at the drift?—It is very large, and they irrigate the vines also.

88. How large is the stream?—I cannot say; sometimes it is six inches, more or less.

Mr. Lourens Stephan Erasmus examined.

89. *Chairman.*] What are you?—I am a trader in cattle.

Mr.  
L. S. Erasmus.

90. In coming from the interior you make use of the outspan at the Hex River?—Yes.

91. Is that outspan used by all the traders coming from the interior, as well as travellers?—Yes; it is indispensable for their use.

92. State what has happened there lately?—It has of late been located by Germans, and the principal portion of the outspan has been taken up for that purpose.

93. What place is there for you now to outspan or rest your cattle?—We have none, and have to drive them through to Worcester.

94. How far is that?—About twenty miles.

95. *Mr. Quin.*] How many wagons in a year span out there?—I think some hundreds, if not thousands.

96. What number have you seen yourself?—I have seen as many as fifteen at a time.

---

*Wednesday, 3rd July, 1878.*

PRESENT :

Mr. HOFMEYR (Chairman).

Mr. Quin,  
Mr. Burger,

Mr. De Korte,  
Mr. Brown.

Mr. *Abraham De Smidt*, Surveyor-General, examined.

*A. de Smidt,* 97. *Chairman.*] You are Surveyor-General of the  
July 3, 1878. colony?—Yes.

98. You have had something to do with the location of the German immigrants?—I have had no charge of the actual locating of immigrants, but merely the providing and survey of Crown lands for the purpose.

99. In directing the survey of Crown lands for the purpose just mentioned, who suggests where the location should be—you, or the Government?—I act under the general instructions of the Commissioner of Crown Lands; but the instructions are in many cases founded on my own suggestions, the suggestions being based upon information from civil commissioners, surveyors, and others acquainted with the localities. In the case of the Goudini settlement I had special instructions, a copy of which I shall put in [see Appendix].

100. Have you in any case consulted the members of divisional councils?—Yes; I have consulted civil commissioners, who, being chairman of divisional councils, are expected in that capacity to obtain the views of the councils before reporting. And I also consulted land surveyors, who have, by surveys of neighbouring lands, become intimately acquainted with localities. I have also in some instances acted on my own local knowledge.

101. Can you tell us how many locations there are in the colony?—A statement of such locations can be furnished, but I have here the return asked for of the immigrant locations in the divisions of the Cape, Paarl, Tulbagh, and Worcester, which I put in [see Appendix F.]

102. There are none in Stellenbosch, Malmesbury, and Piquetberg?—None.



Mr.  
A. de Smidt.  
July 3, 1878.

103. Was any public notice given of the appropriation of the several outspans for location purposes?—I am not aware of any public notice having been given, but may state that steps were taken, by circulars sent to the civil commissioners, to ascertain where suitable lands were supposed to exist. I put in a copy of the circular [see Appendix II] which was cautiously worded, and in most cases the replies were favourable.

104. Favourable in what respect?—Favourable to the appropriation of the outspan places. No objections were urged on public grounds, but there were some remonstrances from adjacent proprietors.

105. Were these objections of adjacent proprietors stated in the replies of the civil commissioners?—I believe reference was made to such objections, but, as I have said, there were no objections on public grounds. The objections were in the shape of remonstrances by private individuals, who, having been in the habit for many years of using the outspan places, objected to their being settled by immigrants.

106. Have you any reply from a civil commissioner bearing on that point?—I cannot state positively, without examining the records of my office, but I am pretty certain there were no objections on public grounds [see Appendix for replies].

107. After the land was appropriated for locations was any notice given to the public or the farmers in the neighbourhood that the outspans were turned into locations and immigrants actually located upon them?—No notice was given as far as I know, by the Government or any one else. It was probably not considered necessary, seeing that the reference to the divisional council through the civil commissioner would be sufficient. If it had been suggested that notice should be given I should probably have done so, but it did not occur to me as necessary under the circumstances.

108. Are you aware that none of the locations have visible beacons?—I should be much surprised if this were the case, as the surveyors have been paid for putting them up. But, in fact, I have seen many of the beacons myself, and if they had not been erected the fact would have been discovered by the secretary of the Immi-

Mr.  
A. de Smidt,  
July 3, 1878.

gration Board, and by others who examined the ground and located the people, which could not well have been effected if there had not been visible beacons.

109. Will you kindly tell us what is considered a proper beacon?—That depends on the material that can be found at or near the spot. They usually consist of stones large enough to be visible at a moderate distance, or of stones built up, besides trenches dug in the direction of the boundaries. The instructions generally are that the beacons should be so constructed as to be easily distinguished from other objects in the neighbourhood.

110. Can you furnish us with the receipt for the money paid, or a copy of the account and certificate of the surveyor in which it is asserted that the beacons have been put up?—I will furnish a copy of the account together with any documents there may be attached to it. The certificates are usually given by the field-cornets.

111. Can you supply the field-cornet's certificate?—Whatever annexures to the surveyor's account there may be shall be furnished to the committee.

112. Is there any further information you would wish to give the committee?—I wish to say that the number of immigrants originally intended to be located in the western districts was less than that intended for the frontier districts. But some of the vessels destined for East London, that arrived whilst the Kafir rebellion was continuing, were detained in Table Bay, and instructions were given me to provide sufficient land. Great difficulty was experienced in my efforts to comply with this order, because, as is well known, the residue of Crown land in the western districts of the colony adapted for agricultural purposes is very small, and without availing ourselves of disused or partially-disused outspan places, the Government could not comply with the terms of the contract made with the immigrants. I would refer for further information on this point to pages 3 to 6 of my annual report for this year.

113. Mr. Brown.] Do you consider that the land appropriated for location purposes is of a character to enable the people to make a living and get on?—I

think, considering the nature of the country from which many of these people came, especially Brandenburg, which is a very poor district as regards the soil, and I believe also as to water supply, that the land on which they have been located in the colony offers fair advantages for their success in life. But no complaint has, so far I know, been made of the unsuitability of the land, though complaints may have been made in other quarters.

Mr.  
A. de Smidt.  
July 3, 1878.



## APPENDIX.

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### [ A ]

RETURN in compliance with a Resolution of the Honourable the Legislative Council, dated 14th May, 1878: viz.:—

For a return showing the following particulars in respect to the immigrant location at the “Du Toit’s River,” Goudini Station, on the Worcester Railway Line:—

1. A plan of the outspan (of which part has been appropriated for location of immigrants) showing the whole extent of the original outspan, with the allotments deducted and particulars, with names of present occupants, and whether heads of families or otherwise, and conditions of title.

2. The number and names of immigrants, if any, who have, after settling on the land, abandoned the same.

3. The report of the divisional council or any officer of Government in consequence whereof the location was founded at Goudini Station.

4. The representation made by residents in the neighbourhood, whose water-rights are affected by the occupation of the land by the immigrants, the correspondence on the subject, and the Attorney-General’s opinion.

5. The name of the officer charged with locating the immigrants at said place, the rate of salary he draws, and the costs incurred by him to date for his personal attendances at Goudini.

6. The number and names of immigrants, at present in the hands of Government, unprovided with land, if any, and the reason why they are in that position.

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1. A plan of the outspan (of which part has been appropriated for location of immigrants), showing the whole extent of the original outspan, with the allotments deducted and particulars, with names of present occupants and whether heads of families or otherwise, and conditions of title.

a. Lots 3 and 8 Johannes Bleuler.

„ 1 and 2 Carl Hebler.

„ 4 and 8 Friedrich Kossatz.

„ 5 and 6 Hermann Witzenleithner.

„ 7 and 11 Jacob Werner.

„ 12 and 13 Wilhelm Winkelmann.

Lots 14 and 15 Wilhelm Sondermann.

„ 16 and 17 Martin Triloff.

„ 20 and 21 Peter Binedell.

„ 10, 18 and 19, not fit for cultivation.

b. All heads of families with exception of Sondermann.

c. Conditions of title: Act X, 1877.

2. The number and names of immigrants, if any, who have, after settling on land, abandoned the same.

a. 15.

b. Heinrich Buhr	.	.	.	.	33 years of age
Sophie	.	.	.	.	31 „ „ „
Heinrich	.	.	.	.	7 „ „ „
Wilhelm	.	.	.	.	5 „ „ „
Ernst	.	.	.	.	1½ „ „ „
Heinrich Erickson	.	.	.	.	28 „ „ „
Marie	.	.	.	.	31 „ „ „
Mathias Heinrichsen	.	.	.	.	37 „ „ „
Heinrich Vorsatz	.	.	.	.	35 „ „ „
Marie	.	.	.	.	41 „ „ „
Jürgens	.	.	.	.	14 „ „ „
Heinrich	.	.	.	.	4 „ „ „
Friedrich	.	.	.	.	1½ „ „ „

3. Report of Officer, in consequence whereof the location was founded at Goudini station:

Copy.]

Worcester, July 21st, 1877.

The Surveyor-General,  
Cape Town.

SIR,—I have the honour to inform you that your request contained in yours of the 13th inst., to inspect the outspan on the Goudini Road, has been duly complied with.

Your letter only reached me on the 19th in Achter Bosjesveld and proceeded without delay to Goudini Road.

There are two outspans on the Worcester main road close to Goudini Road, called “Jan du Toit’s River” and “Groen River.”

On the first one is situated the Goudini Road Station.

Accompanying this there is a sketch plan of the two pieces of Crown land, showing the different pieces of ground to be described hereinafter.



The outlines, or boundary lines, I took over from the tracing of the general plan of registered farms on the 1,200 scale, with which you furnished me some time back.

The railway, main road, and the station, also the rivers, have been roughly laid in by prismatic compass.

In going over the ground I find that it is, upon the whole, very well adapted for the settlement of European immigrants, and in picking out the best ground *only*, I estimate that at least 70 (seventy) families might be located thereon, allowing on the average about two morgen of land per family.

The best piece of ground for the settlement of these small agriculturists is the one marked F S t r q of the "Jan du Toit's River outspan, on both sides of the river above the Worcester main road and approximately 87 morgen in extent. The soil is of the richest and very best description, and of considerable depth (7-8'), as I can see from the furrows washed out by the rainwater. Its colour is dark, and, as far as I could see, there is no sign of pot clay. The vegetation is such as is only seen on very fertile ground, bush being dense and from 6 to 7 feet high in most places west of the river. All kinds of fruit trees, the vine, and vegetables and grain, will grow in this soil; in fact, I may say there is not a better piece of ground to be found on the adjacent farms.

The piece of ground F. r t. on the plan, above the road between Jan du Toit's River and Paarde Drift Spruit, is the most valuable, because it remains moist almost throughout the whole year and in some spots springs may perhaps be opened.

Paarde Drift Spruit rises from some springs which lie immediately outside the line F. g. In summer its water is very scanty and hardly reaches the mainroad. However, large dams could be made easily near the upper part of the ground to supply sufficient water for the irrigation of gardens.

"Jan du Toit's River" is a permanently flowing river, but in summer there is hardly enough water left in its bed to satisfy the want of "Wyzer's Drift." But, as I already mentioned there are suitable spots for keeping water for the summer, and if the people, about to occupy the land, are in the least provident, they will with little labour be able to make the necessary dams.

The best way of laying out the allotments will be at right angles to the river, above the main road.

The bush growing on the land will make very good light fences, and is also well suited for the construction of wattle-and-daub huts or houses.

The ground below the main road marked r. t. u. w. x., crossing the railway line, is less valuable, but nevertheless well adapted for growing grain. Lots of corn land might here be given to settlers who have their garden lots and homesteads on the upper ground.

The rest of the "Jan du Toit's River Outspan" is sandy ground, with patches of stones cropping out here and there.

Should the above described valuable ground be utilized for agricultural purposes there will still remain sufficient grazing for the cattle of the travelling public ; viz., the ground S.W. of the railway line, and that on the right side of the river below the main road.

“Groen River” is inferior to Jan du Toit’s River, its best soil is equal to the second best of the latter outspan, yet there are large pieces of ground on which immigrants will do well. One of them marked a. b. c. d., and situated between the main road and the railway line, might be advantageously cut up into lots. Its extent is approximately 50 morgen. Water for irrigation may be kept in dams, for which there are several suitable spots on the ground. Besides this the Groen River spreads more or less out before reaching Breede River and, therefore, the soil near the main road retains a good deal of moisture during the summer.

The ground a. d. f. e. g. h. A. will make very good corn lands and especially during the first year rye and oats will grow well on it.

From the above description you will see that the outspans are in every respect suited for the settlement of immigrants, who, in my opinion, may consider themselves very fortunate, should Government grant them a location thereon.

In the interest of the Government I wish still to add that considering the great scarcity of wood of any and every description in this district, pines and blue gum trees, even oaks, might be easily planted on part of the ground, the care and protection of which some of the settlers might be induced to take over.

Pieces of ground like B. b. c., m. r. k. l., n o. p. m. and z. y. k., would be well suited for this purpose.

Being well acquainted with the German and Swiss peasantry, and character and ways of living, I shall be always ready to offer my services to Government, whenever necessary, in settling immigrants about here.

I have, &c.,

(Signed) H. C. SCHUNKE.

4. Representation made by residents in the neighbourhood, correspondence thereon, and Attorney-General’s opinion :

Worcester, 12th October, 1877.

The Honourable the Colonial Secretary,  
Cape Town.

SIR,—Seeing that some German immigrants are establishing themselves, by cultivating the ground and raising habitations on the outspan place known as “Du Toit’s River,” in this district, field-cornetcy of Worcester, and being informed that such is



being done at the instance of the Colonial Government, we, the undersigned owners of the place "Wyzer's Drift," in said field-cornetcy, beg respectfully to bring to your notice, that the water running in the channel on the banks of which the above works are being carried on, is the just and well-established property of the owners of the place "Wyzers Drift," duly awarded to said owners by judgment of the late Board of Landdrost and Heemraden, and of which the documents in our possession may at any time be produced.

We are induced to bring this to your notice on the ground that we believe this location to be undertaken on the belief of a permanent water supply there, but you will kindly allow us to state that, whilst during the wet season there is sufficient water for the said place "Wyzers Drift" as to allow a portion to run waste over the outspan place during the dry season the whole of the water is diverted for the use of our plantations, and which moreover, on several occasions of protracted drought, has proved to be quite insufficient for our use.

Fearing, therefore, that works of a permanent nature may be undertaken by said immigrants at the said "Du Toits River," on the belief just stated, we have thought it advisable to bring to the notice of the Government our ownership to the whole of the water entering the "Du Toits River" outspan place, and our intention to continue our right of diverting all that water during the dry season of this year in the manner we and the former owners of "Wyzers Drift" have, since the date of the documents herein referred to, been, accustomed to do.

We have, &c ,

(Signed)

T. P. JORDAAN,  
D. S. BOTHA,  
F. P. LE ROEX.

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REPORT MADE TO GOVERNMENT ON LETTER OF CIVIL  
COMMISSIONER OF WORCESTER, DATED 10TH JANUARY,  
1878, FORWARDING LETTER OF MESSRS. JORDAAN,  
LE ROEX AND BOTHA.

#### REPORT.

The legal effect of the proceedings in this case by the Landdrost and Heemraden of Worcester should be ascertained. I believe that these local boards possessed certain powers for inquiring into and adjusting questions of water rights between private land holders, but they had not, I imagine, any authority to confer such rights where none existed by grant from the Crown, or other legal conveyance ; or to dispose of, or interfere with, water running over Government land.

The title-deed of "Wyzer's Drift" contains no condition by which the use of the water flowing over the land allotted to the immigrants is restricted to that farm. In practice, I believe that holders of land on higher levels may make reasonable use of water, provided that after such use the water is reconducted to its natural bed without needless loss or pollution.

Should it appear that the effect of the proceedings by the Landdrost and Raaden is to disentitle the Government to any use of the water flowing across the Crown land its profitable occupation by the immigrants will be rendered difficult, if not impossible.

(Signed) A. DE SMIDT, Surveyor-General.

18th January, 1878.

P.S.—In the colonial archives is a volume of memorials for 1657 to 1686, containing at page 527 instructions to the "*Landdrost over de buiten posten*" to convene Heemraden for the adjustment of questions connected with land.

(Signed) A. DE S.

#### ATTORNEY-GENERAL'S OPINION.

I am not aware of any power having been vested in Boards of Landdrost and Heemraden to grant water rights, although they had jurisdiction to *settle disputes* with regard to water claimed by various land holders, either by virtue of alleged grants or by virtue of the legal rights vested in such claimants by virtue of their positions as riparian proprietors.

In the present case it does not appear that either party claimed water rights in the court of "Landdrost and Heemraden" by virtue of any grant—there being none, and I presume the court decided merely the question between them as riparian proprietors.

The Government was not a party to the inquiry and in my opinion is not bound by the decision of the court.

The occupants of the Government ground cannot, however, legally use all the water, but must allow a reasonable quantity to flow to the lower riparian proprietors.

(Signed) A. S.

21st January, 1878.

5. The name of the officer charged with locating the immigrants at said place, the rate of salary he draws, and the cost incurred by him to date for his personal attendances at Goudini.

a. The Immigration Board. Members deputed for locating immigrants: Messrs. W. E. Moore and T. Risler.

*b.* Secretary: T. Risler, salary, £60 per annum, without personal allowance.

*c.* The cost incurred in the first settlement of immigrants at Jan du Toits River in February last, amounted to £4 8s. 3d., inclusive of railway fares, cart hire, &c.

The amount expended in settling the immigrants at Jan du Toits, Groen, and Hex River Locations in April was £7 11s. 3d. which covered the expenses of Messrs. Moore, Risler and Superintendent Iversen, including cart and horse hire, &c., &c., but exclusive of railway fares.

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6. The number and names of immigrants at present in the hands of Government unprovided with land, if any, and the reason why they are in that position.

*a.* 14 Men.

11 Women.

31 Children.

Total: 56.

*b.* Nicolaus Spahn and family.

Karl Friebus       "       "

Friedrick Friebus   "       "

George Lange       "       "

David Gustus       "       "

Friedrich Stahlbaum       "

Johannes Knaus       "       "

Jacob Knaus       "       "

Heinrich Buhr       "       "

Simon Hartman       "       "

Adam Meier       "       "

Philip Friebus, jr.   "       "

Philip Friebus, sr.   "       "

Mads Christiansen   "       "

*c.* Land offered has not been accepted by these immigrants *on account of their having no means of support and they therefore remain at the depôt, not being able to secure lodgings.*

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## [ B ]

### THE MEMORIAL OF THE MEMBERS OF THE DIVISIONAL COUNCIL OF WORCESTER.

To the President and Members of the Legislative  
Council of the Colony of the Cape of Good Hope.

We, the undersigned, your memorialists, beg to bring to the notice of your Honourable House, that the Government, in granting

the Public outspans of "Du Toit's River" and "Achter Hex River," in this district, to certain German Immigrants, have not acted in accordance with the recommendation of a committee selected by the Honourable the House of Assembly during last session, on the matter of the public outspans of the colony, which provided for the grazing on these outspans being conveyed for the use of the public, inasmuch, as the apportioning of, and the privileges granted to the immigrants upon the said outspans, were carried through without considering or studying the interests of the public, the effect of which has rather tended to destroy the usefulness of these outspans, and to add to the inconvenience of the public, which the Honourable the House of Assembly sought to obviate.

With reference to the first named outspan of "Du Toit's River," in the field-cornetcy of Wageboom's River, your memorialists beg to state that, the Goudini road station being situated on the outspan, and this main road passing through it, parties coming to the station with their produce, as also those travelling by the main road, and more especially the farmers residing in that part of the district, who, bringing their produce to market, and not being able to dispense with the use of the said outspan in any way, have suffered great inconvenience and damage through their cattle getting into and destroying the gardens on this outspan, owing to the same not being enclosed, and so situated between the railway station and main road as to be unavoidably within the reach of the cattle from either place, in consequence of which several complaints have been made to this board.

With reference to the lastnamed outspan of "Achter Hex River," your memorialists beg to state that large troops of slaughtering cattle are continually passing through Achter Hex River on their way to this and other markets and the owners from former experience, relying upon finding a grazing and resting place on this outspan, were greatly disappointed and inconvenienced on their arrival there, to find them occupied, and themselves dependent on the neighbouring farms where no suitable supply of grazing can be obtained either, and should the occupation of this outspan remain as it is at present, travellers and traders will be necessitated to deviate from their usual route through this township, which would be detrimental to this town and district.

As, therefore, in the opinion of your memorialists, the Government has failed to carry out the object of the Honourable the House of Assembly in the occupation of these outspans, and as these outspans are serving very important purposes in the interests of the district and neighbouring markets, your memorialists pray that your Honourable House may be pleased to direct, that the said outspans be applied to no other purpose but that for which



they were originally intended, and in which they have always been of signal use to the public at large.

A. A. LEROUX,  
A. H. DU TOIT,  
P. B. DE WET,  
G. DE VOS,  
THOS. HEATLIN,  
J. G. FREISLICH, F's son,  
S. A. IMMELMANN,

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[ C ]

Divisional Council's Office,  
Worcester, June 20th, 1878.

The Honourable J. H. Hofmeyr, Esq., M.L.C.,  
Cape Town.

SIR,—I have the honour to acknowledge receipt of your letter of the 18th instant, and in compliance with your request to enclose copies of the only letters, that have passed between the Government and the council on the subject referred to.

The two letters referred to in my letter (marked A.) were from farmers and others, and as far as I can recollect, referred principally to the Hex River outspan places.

I am not, I regret, in possession of any documents relating to the subject, that may be of any use in the promotion of the object in view.

As the council will not meet until the 10th proximo I cannot lay your letter before it, until then.

I have, &c.,

W. QUIN, Secretary.

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No. 880.]

Divisional Council Office,  
Worcester 19th March, 1878.

The Honourable the Commissioner of Crown  
Lands and Public Works, Cape Town.

SIR,—I have the honour, by the direction of the council, to enclose two letters, complaining of the establishment of Govern-

ment locations on certain outspan places, and to state that the council is of opinion that the outspan places referred to are urgently required, and should not, to the detriment of the public, be used for any other purposes than for outspan places ; and that the council trusts the Government will not dispose of any such outspan places, without first consulting the council.

I have, &c.,

(Signed) W. QUIN, Secretary.

A true copy : WM. QUIN, Secretary.

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Office of the Commissioner of  
Crown Lands and Public Works,

22nd May, 1878.

The Secretary to the Divisional Council,  
Worcester.

SIR,—I have the honour to acknowledge the receipt of your letter of the 19 March last, in which, by desire of the divisional council of Worcester you submit two letters complaining of the establishment of German immigrants on certain outspan places in that division ; and to state that they have received consideration.

I have, &c.,

H. MCNAUGHTON,  
*pro* Assistant Commissioner.

A true copy : WM. QUIN, Secretary.

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[ D ]

Copy.]

Goudini, 17th June, 1878.

To the Hon'ble Government,  
Cape Town.

The undersigned immigrants beg to bring their humble petition for further assistance to the notice of the honourable Government.

Notwithstanding that during six weeks after taking possession of the land which was given to us, we received a daily allowance of two shillings per family, and one shilling for single people ; we are not able to exist for the future without further assistance. A part of our lands we have put under cultivation, but cannot expect to support ourselves from the returns before the lapse of several months.

Would we take labour for others—which, notwithstanding some of us, after making great exertions, have been unsuccessful in obtaining—then after all the object for which we immigrated would be frustrated. We came as cultivators of the soil, with the desire to establish here a settlement or village as quickly as possible, which, however, we cannot do if we are to look out for work elsewhere, and support ourselves in that manner. Besides the earnings are here so very small, that considering the high prices prevalent we would not possibly save anything to enable us to lay anything by.

For these reasons the honourable Government will see that we are in the highest degree in need of assistance. We therefore petition that Government may be pleased to assist us with ploughs, harrows, and draught cattle. Each of us has already received, besides potatoes and garden seeds, rye and barley. To work the land, covered as it is with weeds and grass, with the spade, is very hard, and also very slow work.

Should we have to dig the soil for sowing the rye and barley, which require a large extent of land, then the sowing season would have passed before we could possibly have prepared it. Besides this, we must build dwellings for shelter, and should we have to carry stones, clay, and timber (which latter two articles must be fetched a distance of several hours) to the building place by wheelbarrows, it would require a frightfully long time.

The undersigned therefore beg the honourable Government most respectfully to grant to each of us a loan to be repaid, at least one horse or mule with which we should be enabled to plough our land, and also quickly get under shelter. For ploughing purposes we would join four and four together to assist each other in turns. It would be desirable that those immigrants near the railway station, and those who live in the district of Greenriver, two ploughs should be given to each party so that one may be in reserve.

With the soil we are satisfied, and live in the best hope of making a living here. We, undersigned, beg once more most respectfully the receipt of a favourable answer to their petition and remain with due respect.

Most obediently,

(Signed) J. WERNER.  
H. WITZLITHUER,  
J. SCHUTZ,  
W. SONDERMANN,  
N. SANS,  
ED. REEHLING,  
    &c., &c.

[ E ]

Monday, 13th May, 1822.

ORDINARY MEETING OF DEPUTY LANDDROST AND  
HEEMRADEN AT WORCESTER.

Present:—Jan Fredrik van de Graaff, Esq, President, as also  
all the Members.

The clerk of this deputy drostdy, Johan Adam Mader, in his official capacity, applicant; against Gabriel Hugo, David du Plessis, and Widow Jan Abraham du Plessis, the two first-named as applicants of a judicial committee in respect to the watercourses of their farms, and the latter as respondent and defendant called upon to hear confirmed a certain arrangement entered into by them the parties in this matter.

The official heemraden, Petrus Conradie, and Petrus Jacobus de Vos, the former officiating at the drostdy, Tulbagh, and the latter at the deputy drostdy, Worcester, to Jan Fredrik van de Graaff, Esquire, deputy landdrost, and the other members constituting the board of deputy-landdrost and heemraden of the district of Worcester.

Respectful Sir, and Sirs,—By the judicial roll of 5th March, 1821, the following presentation was submitted by David du Plessis & Co., owners of the place Wyzersdrifts and Gabriel Hugo, owner of Eendragt, David du Plessis & Co., and Gabriel Hugo applicants, Contra, the Widow Jan Abraham du Plessis respondent; as owners of the place Oliphant's Berg, for in as much as the respondent had thought proper of her own motion to make use of the water belonging to the places of the applicants to hear application for a judicial committee of inspection of the same at the expense of the defaulters.

In consequence of the resolution taken at said roll, we, the undersigned, with the president, betook ourselves on the 12th of said month to said farms to carry out the duty imposed on us. When we commenced to take ocular inspection of all watercourses, fountains, &c., which applicants and respondents used, and the committee considers itself fortunate to inform you honours, after defatigable labour and contrary to all expectation, and after hearing many arguments for and against on a point for many years in dispute which they don't now again wish to refer to, they have met by imposing the following fixed regulation in which parties for themselves and subsequent proprietors of these places have irrecoverably agreed to, and consented in.

1. That a third part of the water coming out of the Leeuwenkloof, at the side of the place of Widow Jan Abraham du Plessis, named "De Oliphantsberg," shall remain for use of the latter place, the diversion to take place by means of a proper constructed sluice.



2. That further, all flowing water out of Leeuwenkloof shall be divided between the two applicants, Gabriel Hugo, owner of the place Eendragt, and David du Plessis & Co., owners of the place Wyzersdrift, and, moreover, in such manner that the place Wyzersdrift shall enjoy two inches more than Eendragt, the place of Gabriel Hugo, because said place Wyzersdrift is situate quarter of an hour more distant from the place of division.

The parties having undertaken each to pay one-third of the costs incurred. Trusting to have carried out the duties to us entrusted, this serves as our report.

Delivered in deputy-landdrost, and heemraden's meeting, at the deputy drostdy, Worcester, 13th May, 1822.

(Signed) { P. J. DE VOS,  
P. J. CONRADIE.

The deputy-landdrost and heemraden confirm the agreement entered into, and order the parties as well as their successor to carry out the same strictly.

Thus done and disposed of in meeting of adjunct landdrost and heemraden at Worcester, *die et anno ut supra*, and also proclaimed at said place.

J. F. VAN DE GRAAFF, Deputy-Landdrost.  
P. J. DE VOS,  
K. S. ERASAMUS,  
WM. DE WET,  
R. VAN DER MERWE.

[ F ]

*Return of Immigrant Locations laid out in the Divisions of the Cape, Paarl, Tulbagh, and Worcester.*

No.	Locality.	Extent of each Location.	Extent appropriated of lots.	No. of lots laid out.	Expenses of survey.	By whom.
		mor. sqs.	mor. sqs.		£ s. d.	
1	(a.) Cape-- between 8th and 9th mile stone, Matland-road ... ..	309 115	287 66	23	207 8 1	Mr. Borchards.
	(b.) Zwartdam reserve on flats ... ..	} No defined area.	682 206	70	436 4 0	Mr. Schunke.
	(c.) " near Turf Hall ... ..		530 ...	53	386 8 0	Mr. Greef.
2	(a.) Paarl-- outspan, Dcoordje, F.C., behind Paarl	327 466	100 ...	10	110 2 10	} Mr. Beyers.
	(b.) Outspan, Rachel's Fontein, F.C., Groot Drakenstein ... ..	468 463	94 500	10	139 17 6	
3	Tulbagh-- Kluitjes kraal, near Michel's Pass ...	457 152	231 199	21	121 17 0	Mr. Hofmeyr.
4	(a.) Worcester--Jan du Toit's River outspan Groene River outspan ... ..	324 541 327 27	202 460 219 117	21 22	132 7 3 141 3 3	} Mr. Schunke.
	(b.) Hex River adjoining Vendutjie Kraal ...	... ..	119 558	12	65 17 8	
5	Stellenbosch ... ..	nil.	nil.	nil.	} No location laid out in these Division	}
6	Malmesbury ... ..	nil.	nil.	nil.		
7	Piquetburg ... ..	nil.	nil.	nil.		

[ G ]

COURT OF THE RESIDENT MAGISTRATE FOR  
WORCESTER.CASE OF MOSTERT *vs.* BRAUN AND OTHERS.

To the Messenger of the Court.

You are hereby required and directed, in Her Majesty's name, on the sight hereof, to summon W. Braun, H. Frangein, and T. W. Brandis, three German immigrants, located near the Hex River Railway Station, Achter Hex River, that they appear personally before this court, at Worcester, on the sixth day of May, 1878, at ten o'clock in the forenoon, there to answer and abide the judgment of this court, of that the said W. Braun, H. Frangein, and T. W. Brandis, each, one, or other of them, did, on or about the 15th and 16th day of April, 1878, and at or near the Government Outspan, near the Hex River Station, in this district, wrongtully and unlawfully assault and beat one Petrus Jacobus Mostert, of the Paarl, by striking him with kerries, divers blows on his head, arms, and other parts of his body, and threatening to shoot him, and did otherwise ill-treat the said Petrus Jacobus Mostert, and such persons (if any) as you shall be required by the said W. Braun, H. Frangein, and T. W. Brandis, to summon on their behalf, that they, and each of them, be and appear personally, on the day and at the place aforesaid, to testify all they, and each one of them, know concerning the said charge.

Serve on each of them, the said W. Braun, H. Frangein, and T. W. Brandis, a copy of this summons, and return to the court on that day what you have done hereon.

Given under my hand, at Worcester, this 20th day of April, 1878,

(Signed) GEO. G. RAINIER,

Acting Resident Magistrate of the said District.

(Signed) J. C. GIET,

Clerk of the said Court.

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I hereby certify that on the 28th day of April, 1878, I duly served this summons, and delivered a copy thereof into the hands of each of the defendants personally, and that they gave for answer, "I will appear."

(Signed) GERT JACOBS,

Deputy Messenger.

In the Court of the Resident Magistrate for the district of Worcester, holden at Worcester, before George Garrett Rainier, Esquire, Resident Magistrate for the said district, on the sixth day of May, 1878, "*Queen vs. W. Braun, H. Frangein, and T. W. Brandis*," three German immigrants, charged with the crime of assault, in that upon (or about) the fifteenth and sixteenth days of April, 1878, and at, or near, Hex River Station, in the said district, the said W. Braun, H. Frangein, and T. W. Brandis, each one, or other of them, did wrongfully and unlawfully assault and beat one Petrus Jacobus Mostert, of the Paarl, by striking him, with kerries, divers blows on his head, arms, and other parts of his body, and threatening to shoot him, and did otherwise ill-treat the said Petrus Jacobus Mostert.

The prisoners being arraigned, pleaded "Not guilty."

Judgment—"Guilty."

Sentence—W. Braun to pay a fine of £1 10s., or fourteen days' imprisonment; H. Frangein and T. W. Brandis £1 each, or ten days' imprisonment.—Fines paid.

(Signed) GEO. G. RAINIER,

Acting Resident Magistrate.

Mr. Laus appeared on behalf of the prisoners.

The following evidence was adduced in the presence and hearing of the prisoners, then in their sound and sober senses:—

*Petrus Jacobus Mostert* sworn, states: I reside at the Paarl, and am a farmer. I know the prisoners. I have been staying at the Hex River Station with Mr. Gie. On the 15th April last Mr. Gie sent me with a wagon to go and fetch wood on the outspan. I went up on the mountain. When I got there, the accused, Brandis and Frangein, came up and told me I was not to take any wood away. The wood was already loaded on the wagon. The wagon was about half loaded. It was sugar-bush wood. I told them that the field-cornet (W. de Vos) had given me permission. I was going away with the half-load of wood, when accused, Braun, and another man came up, and Frangein took the tow of the leading oxen out of the leader's hands. I took it out of his hands again. Frangein then got hold of me by my hair, and Braun and Brandis struck me on the head with their kerries. I was quite insensible. They also struck me on my face and arms. My head was much bruised. After they had struck me with their kerries, they took the whipstick from the wagon and beat me with it and broke it in three pieces on me. They took the pieces away. The following day I went again with the wagon for wood. The wagon was already loaded when accused, Braun, came up with a pickshaft and a revolver in his hand, and told me to unload the wagon. I re-



fused to do so. He then pointed the revolver at me and said, "If you don't unload I will shoot you." I was about three yards from him. The revolver was loaded. I said "trek" to the oxen. Braun then went up to the leader and pointed the revolver at him. The leader got frightened and left the oxen and went away. I went up to take the touw, and then Braun said, "If Gie thought that he had the right to take the wood away he could do so." I then went away with the wagon. I have suffered a good deal from the blows which have been inflicted.

*By prisoners' agent.*—I did not strike Braun first. I never struck him at all. I was standing alongside of the hind oxen when Frangein took the reim from the leader. I did not catch hold of him. I never touched him. Each prisoner had a stick in his hand when they came up. Frangein also struck me. After the assault on the first day I went to De Vos, and he told me that I had just as much right to carry away wood as prisoners had. I showed the marks on my head and arms to the clerk of the court when I came to complain. The houses and gardens of the accused are about 1,000 yards from where I got the wood. I did not drive through their gardens. I never went near their gardens.

*James McDonald* sworn, states: I am a labourer in service of Mr. Gie of Hex River Station. I was the driver of Mr. Gie's wagon, which went with the last witness for firewood on the 15th ultimo. We did not go anywhere near the houses and gardens of the accused. We went into the mountain for wood. I saw the beacon of the location. We went quite outside of the beacons. We had cut the wood about a month before. We had about half a load on the wagon when prisoners Frangein and Brandis came up followed by Braun. Before Braun came up, the first two said we must unload the wood. Shortly after Braun came up, and I asked him if we could keep the little wood. He said we could. Before Braun came up, the first two had gone away; they returned soon after with two more men. We were going homeward with the wagon. The prisoners stopped the wagon and told us to unload the wood at their dwellings. Mostert refused. Frangein took the reim out of the leader's hands to turn the oxen. Mostert took the reim out of Frangein's hands. Frangein got hold of Mostert by the neck, and Brandis struck him on divers parts of the body with a stick about half an inch thick. Braun got hold of the whipstick and struck Mostert on the head, which felled him to the ground, and while he was on the ground he kept on striking him. Mostert was insensible from the blows. Besides the leader there were two other men beside myself and Mostert; the two men and the leader ran away when the assault took place. When the assault was over, we unloaded the wood, and I went to ask for the whip. Braun had the whip, and when I asked him for it, he broke it into three pieces. We



then went home. The following day we went again for the wood, and had finished loading when Braun came up with a pickshaft and a revolver, and said to Mostert, "If you don't unload the wood I will shoot you," and pointed the revolver at his face. I could see the revolver was loaded. Mostert's brother, who was present, said, "Don't shoot, because you can only shoot one." Braun turned round and said, "What have you got to do with it?" and pointed the revolver at him. Braun then went up to the leader and threatened to shoot him. The leader ran away. Afterwards Braun said we could go with the wagon, and he would go and see Mr. Gie himself. He also said if we came within 150 yards of his house he would shoot us all.

*By prisoners' agent.*—I was standing at the back of the wagon when the assault took place, but saw everything. Braun struck with the back part of the whipstick.

*Cleophas Marinus* sworn, states: I am in the service of Gie of Hex River. I went with the last witness (Mr. Mostert), to fetch wood on the 15th ultimo. We did not go near his houses and gardens of prisoners. The wagon was about half loaded when prisoners Frangein and Brandis came up and said we were to unload the wagon. They went away, and Braun came up and said Mostert must unload the wood. Mostert said he could not, and asked Braun whether he could take the wood on the wagon. Braun said yes, and we had gone some distance when the prisoners Frangein and Brandis came up with two other men, and Frangein took the rein from the leader. Mostert took it away from him again. Frangein then struck Mostert with a stick on his head; the other two prisoners then came up and struck Mostert. Braun's stick broke, so he got hold of the whipstick and struck Mostert over the head with it. Mostert fell to the ground, and while he was on the ground, Braun continued striking him. Another old German then came up and said they must not beat him any more. Braun and Frangein then got hold of Mostert by the hair to pull him up, and then Mostert got up. After Braun had finished beating Mostert, he broke the whipstick. Mostert never struck him back. Mostert bled a good deal from the wounds in his head. The following day we went again for the wood, and Braun came up with a revolver and pickshaft, and threatened to shoot Mostert if he did not unload the wood, and pointed the revolver at Mostert and also at the leader. I could see the revolver was loaded. Afterwards he allowed us to take the wood.

*By prisoners' agent.*—Mostert showed me two holes in his head.

#### DEFENCE.

*Johan Hendrik Benedel* sworn, states: I am one of the German immigrants located at Hex River. I remember Mostert coming with a wagon last month for wood from the outspan. I went

with prisoners to meet the wagon. Braun and Frangein told them to unload the wood, but they would not. We thought they had no right to get wood from the Government ground. Frangein went up to the front oxen and took the rein out of the leader's hand, and then Mostert came up and tried to take the rein out of his hand, and struck Frangein over the hands with the whipstick. Braun came up and tried to take the whipstick from Mostert. Mostert caught hold of him by the chest. They then began straggling together. Braun hit Mostert and Mostert hit Braun. Braun broke the whipstick into three pieces, and each of the prisoners got hold of a piece. The whipstick was broken after the scuffle was over. Prisoners had small sticks with them when they came up, about as thick as my thumb. It was sticks they had picked up as they went along. I did not see what took place on the second day.

*By the court.*—I saw blood on Mostert's head and also on Frangein's hand.

(Signed) GEO. G. RAINIER, .  
Acting Resident Magistrate.

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No. 1314

[ II ]

ANNEXURES TO EVIDENCE OF SURVEYOR-GENERAL.

No. 1.

Office of the Commissioner of Crown Lands  
and Public Works, 11th July, 1877.

The Surveyor-General.

SIR,—The Commissioner is informed that the outspan on the Goudini Road, Worcester, presents a site suitable for the survey of several lots on which immigrants may be placed, and requests that you will, therefore, instruct the local surveyor to report on the capabilities of the place in this respect.

I have, &c.,

(Signed) C. B. ELLIOTT, Assistant Commissioner.

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CIRCULAR.

No. 2.

Surveyor-General's Office, 14th September, 1877.

The Civil Commissioner of Swellendam, Caledon, Stellenbosch, Paarl, and Malmesbury.

SIR,—I have the honour to request you will afford me the aid of your local knowledge and experience in making provision for the settlement of agricultural immigrants on suitable Crown land within the division of \_\_\_\_\_

The available area of such land is known to be small, but in all probability facilities may exist on some of the outspan places, which through local causes, whether by disuse, change of route, or otherwise, may no longer be required to their full extent

It may even be found practicable to utilize for this object those parts of the outspan places, indispensable for ordinary traffic, which consist of agricultural land, without risk of undue interference with public convenience.

I have, &c.,

(Signed) A. DE SMIDT, Surveyor-General.

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No. 3.

Civil Commissioner's Office,  
Stellenbosch, 17th October, 1877.

To Surveyor-General, Cape Town.

SIR, — With reference to your letters of the 14th ultimo and 8th instant, I have the honour to submit the list of outspan places in the division of Stellenbosch, viz:—

- 1 Sir Lowry's Pass, Hottentot's Holland, very large area.
2. Water Kloof, Hottentot's Holland, small area, near Somerset West, at present used by the inhabitants for gathering firewood.
3. Vaal Dam, between Somerset and Eerste River Station, large area.
4. Bakkeir Kloof, Moddergat, large area
5. Meitjei Vlei, ditto, ditto.
6. Schulpad Vlei, on the road from Stellenbosch to Cape Town
- 7 Kuils River, near the boundary between the Cape and Stellenbosch districts.

With the exception of small pieces of ground, situate contiguous to the farms in this division, the above are the only Crown lands in the district.

In my opinion part of the outspans at Sir Lowry's Pass, Kuils River, and Water Kloof may be used for the object in view.

The outspan Vaal Dam is extensive, but the traffic from Overberg to Eerste River railway station is increasing, and it would, perhaps, cause great inconvenience to the public if any portion thereof be alienated.

The population of the district is very large compared with its extent, and the want of water in summer, on the outspans, is a great drawback.

I have the honour to be,

Sir,

Your obedient servant,

(Signed) G. VAN OUDTSHOORN.

## No. 4.

Civil Commissioner's Office,  
The Paarl, 13th October, 1877.

To Surveyor-General, Cape Town.

SIR,—In reply to your communication of the 14th ultimo, on the subject of making provision for the settlement of agricultural immigrants on suitable Crown land within this division, I have the honour to state that, owing to the shortness of my stay here, I possess very little knowledge of the waste land, and therefore regret my inability to afford you useful information on the subject.

I find that the following are the outspan places in this division, on some of which facilities may exist for locating immigrants:—

1. Rachel's Fontein, at Groot Drakenstein, which, I understand, has been already surveyed and divided into lots; this I should say would be a suitable locality.
2. Kraaifontein, portions of which have been leased, the remainder unsuitable owing to the want of water in summer.
3. Klappmuts, already leased.
4. Bordje, behind the Paarl, a large tract of good sowing land very little used by travellers, but, I believe, considerably encroached upon by neighbouring farmers.
5. Wellington Bridge. The Wellington side of this outspan is hardly ever used now, and I am told its extent is between 300 and 400 morgen good soil.
6. Near Hugo's River, Klein Drakenstein. This is seldom used except as grazing land for the cattle of the surrounding farmers,
7. Under Bain's Pass. Since the opening of the railway this outspan is scarcely ever used.
8. Dryner's Valley, at Groenberg, also very little used for the purpose of an outspan.

I have no hesitation in stating that most, if not all, of the outspan places, since the opening of the railway and for other reasons, are no longer required to their full extent, and may, without undue interference with public convenience, be utilised for the object you have in view, which, I feel confident, will prove of immense value to the district.

I have the honour to be,

Sir,

Your obedient servant

(Signed) R. Z. CROZIER,

Acting Civil Commissioner,



[ No. 5. ]

Civil Commissioner's Office, Caledon,  
3rd October, 1877.

The Surveyor-General, Cape Town.

SIR,—In reply to your letter of the 14th ultimo, on the subject of settling agricultural immigrants on suitable Crown lands within this division, I have the honour to inform you that, after consultation with the divisional council, I am of opinion there is no available or suitable Crown land in this district adapted for that purpose.

Two or three eligible spots might have been selected, but are now not available, having been leased for long periods under Act No. 19 of 1864, nor could any of the existing outspan places in the division be so utilised without encroaching on the privileges of the public, and subjecting to inconvenience travellers and others who have for years enjoyed the advantages therefrom accruing.

I have the honour to be,

Sir,

Your most obedient servant,

(Signed) R. C. R. BOYES,

Civil Commissioner.

[ No. 6. ]

EXTRACT from Letter of Mr. H. C. SCHUNCKE to the SURVEYOR-GENERAL, dated 19th November, 1877, forwarding General Plans and Diagrams of the two locations "Groen River" and "Jan du Toit's River."

\* \* \* \* \*

"The beacons of the lots at both locations I called 'small' in my letter accompanying the tracing of Groen River in contradistinction to the large landmarks—4 to 5 feet high—which show the outlines of the Crown lands. They—the beacons of the lots—are well built of stone, 2 to 3 feet high, with a base of 2 to 2½ feet. These beacons, with the iron pins marking the centres, and trenches indicating the direction of the lines of the lots, form lasting and easily distinguished landmarks."

\* \* \* \* \*

The certificate of Secretary of Immigration Board is annexed,



[ No. 8. ]

Office of the Board of Commissioners of Immigration,  
Custom-house, Cape Town, 8th July, 1878.

I certify that I have had occasion to visit the Jan du Toit's River and Groen River locations, for the purpose of locating immigrants on them, and that, with the aid of the tracing of the general plan furnished by the Surveyor-General to the board, I found no difficulty whatever in finding the limits of each allotment, which in every case are defined by beacons, in the shape of piles of stones about  $1\frac{1}{2}$  feet above the ground.

T. RISLER, G.L.S., Secretary.

[ No. 9. ]

Cape of Good Hope.

# AGRICULTURAL LANDS ACT.

Vote 44E.

## MISCELLANEOUS SERVICES.

Draft No. 110D.

The Colonial Government,  
To H. C. Schunke, Government Surveyor.

November, 1877.

### *Groen River.*

	£	s.	d.
To Survey of lots 2 to 22 (21 lots), each in extent 10 morgen at £4 ... ..	84	0	0
„ Duplicate diagrams at £1 10s. ... ..	31	10	0
„ Survey of lot 1, in extent less than 10 morgen ... ..	3	0	0
„ Duplicate diagrams ... ..	0	12	0
„ Figures of lots 1 to 22 on general plan at 5s. ... ..	5	10	0
„ Erection of beacons lettered "a—b" (52 in number) at 5s. ... ..	13	0	0
	<hr/> £137 12 0		

I certify that the charges are fair and reasonable, and that the items are according to tariff and agreement.

(Signed) JNO. TEMPLE HORNE,  
For Surveyor-General.

I certify that the above survey has been performed in accordance with the instructions of the Surveyor-General, and that the beacons have been erected in the manner described in my report accompanying plan and diagrams.

(Signed) H. C. SCHUNKE.

Received from the Honourable the Treasurer to Government the sum of £137 12s. sterling in full of the above account, and for which I have signed duplicate receipts of the same tenor and date.

(Signed) H. C. SCHUNKE.

With ss to payment:

(Signed) J. P. DE WET.

[ No. 10. ]

Cape of Good Hope.

No. 7B.

### AGRICULTURAL LANDS ACT.

Vote 44E.

#### MISCELLANEOUS SERVICES.

Draft No. 110D.

The Colonial Government,  
To H. C. Schunke, Government Surveyor.

November, 1877.

#### *Jan du Toit's River.*

	£	s.	d.
To Survey of lots 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 20, 21, each in extent 10 morgen at £4 ... ..	72	0	0
„ Duplicate diagrams of these lots at £1 10s.	27	0	0
„ Survey of lot 3, in extent 8 morgen 411 square roods ... ..	3	0	0
„ Duplicate diagrams ... ..	0	12	0
„ Survey of lot 4, in extent 8 morgen 84 square roods ... ..	3	0	0
„ Duplicate diagrams ... ..	0	12	0
„ Survey of lot 19 and duplicate diagrams ...	3	12	0
„ Figures of lots 1 to 21 on general plan at 5s.	5	5	0
„ Erection of beacons lettered “a—e” (55 in number) at 5s. ... ..	13	15	0
	<hr/> £128 16 0 <hr/>		

I certify that the charges are fair and reasonable, and that the items are according to tariff and agreement.

(Signed) JNO. TEMPLE HORNE,

For Surveyor-General.

I certify that the above survey has been performed in accordance with the instructions of the Surveyor-General, and that the beacons have been erected in the manner described in my report accompanying plan and diagrams.

(Signed) H. C. SCHUNKE.

Received from the Honourable the Treasurer to Government the sum of £128 16s. sterling, in full of the above account, and for which I have signed duplicate receipts of the same tenor and date.

(Signed) H. C. SCHUNKE.

Witness to payment:

(Signed) J. P. DE WET.

[ I. ]

LETTER OF REV. MR. HAHN TO CHAIRMAN.

Cape Town, 01th July, 1878.

To the Honourable J. H. Hofmeyr, Chairman of the Select Committee of the Legislative Council, on the settlement of German Immigrants.

Cape Town, July 10th, 1878.

SIR,—When I gave evidence before the committee of the Legislative Council with reference to the immigration, I expressed the wish to give a summary of my answers to the questions put to me, in writing, mentioning, besides that, I also should be better prepared after having visited the immigrants who are located near Goudini and Hex River.

Not being able to go myself, my son, second minister of St. Martin's, undertook the journey for me. At Worcester he was joined by the well-known Rev. L. F. Esselen, and both proceeded first to the Goudini station settlement, and afterwards to Hex River. The following gives an account of their observations and enquiries.

## REPORT.

Having been repeatedly invited by the German immigrants about Goudini station and Hex River to pay them a visit, and being desirous to see and hear for myself how our countrymen and members of our church fared in their new homes, I set out on the 1st inst. for Worcester, where I was joined by the Rev. L. F. Esselen, and proceeded on the 2nd, first to Goudini Station, near which we found seventeen families, and two or three single men from different parts of Europe, viz., Prussia, Switzerland, Austria, and Russia. Eight of these families have their location close to the railway station, on both sides of the highroad, in fact on the outspanning itself.

Three Danish families had been located near the so-called "Slangenheuvel," but they had already abandoned their lands in despair.

About one hour's walk along the railway, towards Ceres, there is the third part of the Goudini settlement on both sides of the railway line. Here we found five German families from Russia located, and an unmarried man from Germany.

On the first day we visited this last party, and the next day I went alone to those close to the station. All were known to me from the time of their disembarkation, after which they had made unwillingly a long stay in Cape Town. During the five or six hours each day which I had intercourse with them, sufficient opportunity was given to get well informed with their state and wants.

They readily showed me their dwellings, viz., tents or houses, gardens, fields, and implements, and related what they had gone through, each answering the questions put to them in strict accordance with each other. Statements of single persons we put to the test by inquiring of other parties.

On the place nearest the station, which was first settled, four houses had been built, and on the other, two of unburnt bricks, the material for which some had to carry a great distance on their backs. Of the Russo-Germans, each family had a plot of ground, measuring 100 by 200 feet under cultivation, besides gardens about 60 feet square.

The party near the station has about three times as much land under cultivation, which can be accounted for by their being longer settled, and one or two of them had also some means to begin with. It may be mentioned here, that women chiefly work the land with the spade, and having no draught cattle, some of them have harnessed themselves to the harrow. The manure has been gathered along the road and outspanning and carried in sacks on their backs to their plots, while the men worked on the railway for the maintenance of their families. Mr. Breenet, the Goudini stationmaster, said that he had never seen such hard-working people.

Considering the drawbacks and disadvantages with which these people have to contend, it is surprising that they did not leave everything like the Danes did at Slangenheuvel. Upon inquiry whether they would willingly exchange their present locations for others better suited and accept a remuneration for their work already done, if Government desired it, they unanimously gave a decided negative, and one answered, with tears in his eyes, "I rather would die than endure a repetition of the hardships and troubles already experienced amongst the farmers and here;" and others said they would not be paid for their sweat. They are well aware of the fact that many of the surrounding farmers are not favourably inclined towards them, and that they have petitioned Government to remove them, but they are not daunted even though they threatened to cut off the water during the summer.

They stated that repeatedly during the nighttime cattle of the neighbourhood had got into their fields and committed considerable damage to their crops, which is, of course, to these poor people of far greater moment than to a great farmer. Had the people the means of fencing their lands under cultivation, they would be comparatively safe against such annoyances and loss.

Those located on the outspanning complained that their land is still used as such, which often cause disturbances, and as they have nothing in hand to prove their right to the ground, no notice is taken of their prohibition.

They also stated that they had repeatedly written to Mr. Risler, partly for assistance which they needed, afterwards embodied in the petition to the hon. Commissioner, and also on other subjects, but scarcely any notice had been taken of their letters.

The settlers below the station, towards Ceres, have received neither ploughs nor harrows, and one not even a spade. It must be mentioned here, that people acquainted with the locality assert that during the summer this part is without water.

I am glad to state that some of the Germans residing in Worcester have assisted their newly-arrived countrymen, so far as their means permitted, with food and other necessities, in a liberal and praiseworthy way.

A number of the last arrived immigrants found work, for the space of nine weeks on the railway line, at £1 a week, from which they lived, and made such savings as they could. However, at the latter end of June, they were dismissed, and as it appears by the statement of the station master, corroborated by that of the immigrants, through the irregular attendance of some who were employed. Mr. Breeneb, however, promised to Mr. Esselen and myself to use his influence in procuring again employment for them.

On Friday, the 15th instant, the Rev. T. L. Esselen and



I proceeded to the Hex River location, which is opposite to Mr. P. de Vos' farm on the other side of the river. The settlement is on an outspanning, at present not much in use, and comprises six families, from Germany, Austria, and Russia, who live in three tents and three small houses built of reeds, bushes, and plaster. Inside they show some pretensions to comfort, being also divided by two or three separate partitions, and can boast of two glass windows, each of one pane.

The people declared themselves pleased with their condition, receiving also considerable assistance from a countryman of theirs, who immigrated many years ago, and who also ploughed their lands.

Here also appears to exist an ill-feeling amongst the farmers towards the immigrants, and it may be that the latter, through their ignorance of the laws and customs of this country, give unnecessary offence. Also here they state that the farmers threatened to withhold from them the water during the summer, or to make them pay for it.

These, as well as the settlers at the Goudini, beg that Government would acquaint them, as also the farmers, what right each has to the water.

Two settlers, Caspar and Heinrich Binedel, both of the Russo-Germans, mentioned that they had not received from Government seeds, &c.; as the sowing season of most grains is now past, they beg for such seeds which might be still in time.

It was further stated that Mr. Risler granted to them only ten acres instead of twenty, as it is said in the contract, on the ground that the soil was so very good. They beg Government would allow them their full share of land.

The impression which Mr. Esselen and I took with us in regard to the immigrants here, as well as in the Goudini, is this, that most of them, but in particular the Russo-Germans, are such men which the colony needs, and that if they were here in sufficient numbers and properly encouraged, they would prove a blessing indeed. There is an undaunted courage, perseverance, and endurance, as well as intelligence, about them, which would conquer great difficulties and would not easily yield.

We are sorry to say that the farmers in general do not look favourably upon the introduction of free and independent land-owners, they rather would like such whom they could treat similar to the natives.

The perseverance and energy with which these settlers have laboured is the best guarantee to Government that any assistance which they receive will amply be repaid.

(Signed) C. H. HAHN, JUN.

After the above account, I beg to make a few remarks, partly supplementary and partly explanatory to my evidence before the committee.

1. In my opinion the immigrants who have taken lands or still wish to do so, ought to get that support for which those settled near the Goudini applied for in their petition of the 17th ultimo to the Honourable Commissioner of Public Works.

If they are left entirely to their own resources, they will have a very hard struggle, and might dispond, as already several parties of Swiss on the Cape Flats, and Danes near the Goudini, have done, and abandon their work. The disadvantages under which they labour are so great, that even if they get that support for which they have petitioned, it will require a great and more than usual amount of energy and perseverance to carry out their work with anything like success.

2. Amongst the immigrants who were destined for this port, there is but a small percentage of such persons as were meant by the Act of Parliament to be introduced into this colony. This Act does not speak of common agricultural labourers or people of other occupations, but of "agricultural immigrants who should be located upon and acquire Crown lands;" in other words agriculturists, who by working small farms, would be producers and not consumers.

The bulk of the immigrants who arrived for this port are either artisans, of whom some are making a fair living, or mereantile clerks or labourers in manufactories, and some are without any calling whatever. I am sorry to say that not a few appear to have been of no good at home, and it is to be feared will be less so in this colony. Most, however, of the latter class, went into the Kafir war, and others took themselves off to the Diamond Fields and other places beyond the boundaries of this colony. That there were among those who arrived some over-aged and even blind people, and that others took advantage of the free passage to proceed to Natal, China, and Australia, are facts well known. With but a small portion of integrity, common sense, and attention, the Hamburgh agent and his associates, might have prevented the parliamentary grant from being so recklessly squandered as it has been. At the first sight any person *who would not be blind*, could see that a very large proportion of the immigrants were not such as were by the Act of Parliament to be brought hither at the expense of the public. It appears from all one sees and hears about it, that the Hamburgh agents and their friends looked upon this immigration only in the light of a money-making affair, a kind of coolie importation job, in which the only object was quantity not quality.

3. Most of the agriculturists who have been introduced have not met with such encouragement as they deserve; in fact their treatment has been, in my opinion, arbitrary, summary, and partly unjust. Some of the few who have been settled have neither received their due in land nor agricultural implements; others have been refused lands altogether, because they felt no inclination to choose the Sandflats for their future homes, though some

gentlemen may consider them to be the most eligible and delightful parts of this colony.

With but a small measure of common sense, none could assert that the sand in the flats can be called the "good arable ground" to which the immigrants are entitled. There are a few spots on which, by patience and perseverance, a vegetable farmer may make a living, but nowhere on the flats are plots of twenty or forty acres in extent of "good arable soil" to be found. Twenty acres per adult, we consider, under the circumstances prevalent in South Africa, is by far too small an allotment; double the amount would scarcely suffice. In fact by the wording of the contract "twenty acres *and more*," the immigrants have a right to claim more. When the first immigrants arrived, I inquired at the office of the Commissioner of Public Works how much the "*and more*" meant, and was told, from *one to two hundred acres*. If the people have really any spirit of enterprise in them, then certainly heads of families should not be allowed less than one hundred acres with an extra allowance for the children according to their ages.

Instances have also occurred, as in the case of one of the Tribus's, that where several members of a family were adults, who each claimed their twenty acres, promised by contract, that they have been flatly refused.

Several families of farm immigrants here in town and elsewhere are anxious to obtain land, if they could get such as in Hex River and near Goudini Station, but land is refused to them, unless they take allotments of sand in the Cape Flats.

4. I particularly wish to draw attention to the Protestant German immigrants from Russia. They are no doubt the best colonisers, quiet, sober, thrifty and intelligent men, who care for their intellectual and moral improvement as well as their bodily welfare. They were driven from their comfortable homes in Russia chiefly on account of the new compulsory military laws in that country, and being on their way to the Brazils to seek new homes there, were induced by the representations of the Ham-burgh agents, that here was the very Goshen of Egypt, to turn their faces towards this land of affluence and comfort.

Being for the most part related to each other, and knowing by experience the advantages of co-operation, they desired to be located in proximity to each other and to form a settlement, where they also intended to make provision for school and church as they were accustomed to do in their former homes. These very reasonable and laudable intentions were repeatedly made known to the Secretary of the Board of Immigration, Mr. Risler, both by themselves and by us, but met with as little favour or understanding in that quarter as the representations of another party of Germans on a previous occasion. These having arrived with the *Pedrazza*, and desiring to form a settlement by themselves, were sent into the Cape Flats to shift for themselves, without

even a person to show them the whereabouts, and it was no wonder that they, after having inspected the sands, abandoned their laudable scheme with disgust.

Without even a show of necessity, the families of the Russo-Germans have been severed and scattered about. If the Russo-German Immigration were to be properly encouraged, there can be no doubt, that many more families of these excellent people would come to our shores, some of whom, we hear, are not without means. Good many of the Russo-Germans are thoroughly acquainted with the culture of tobacco, a branch of industry which ought to receive the attention of Government.

5. We are told by the Immigration Board that in the Western Provinces there are no more Crown lands at their disposal, except certain allotments in the Cape Flats. If that proves to be the case, which I hope, for the best of the colony, may not be, why then has Government not stemmed at once the stream of immigration to this port? Why then invite people from Germany and elsewhere to these parts when Government has nothing better to offer to the agriculturists than the sand in the flats in which to make themselves comfortable? Out of the six or seven vessels with settlers, which arrived in Table Bay, four were destined for this port and another is expected in September.

6. I would suggest the expediency of giving the agricultural settlers near Goudini, &c., and those lingering about in town, an opportunity to speak out their minds before the committee, on which occasion their cause would need a trustworthy interpreter in whom they could place confidence.

7. I beg to state that I send copies of this memorandum to His Excellency the Governor, to the Honourable Commissioner of Public Works, and to the Acting German Consul in this town.

I have the honour to be,

Sir,

Your obedient servant,

C. H. HAHN, SEN.

---

[ J. ]

Office of the Board of  
Commissioners of Immigration,  
Custom-house, Cape Town.

List of Locations laid out in the Western Districts for European Immigrants.

1. Wynberg Flats, 70 lots.
2. Claremont Flats, 54 lots.



3. Maitland Road, between VIII and IX Mile-stone, 23 lots.
4. Paarl, Boordje, 10 lots.
5. Paarl, Rachelfontein, 10 lots.
6. Tulbagh, Kluitjeskraal, 21 lots.
7. Worcester, Jan du Toit's River, 21 lots.
8. Worcester, Groen River, 22 lots.
9. Worcester, Hex River, 12 lots.
10. Caledon, Bier River, 10 lots.
11. Caledon, Tygerkloof, 18 lots.

The following allotments have been applied for, and when taken up marked "*occupied*."

Locations not specified hereafter remain vacant.

- Ad. 1.—Leichardt, Carl August, lots No. 10 and 12.  
 „ Neuman, Heinrich, lots No. 14 and 16.  
 „ Beckmann, Carl, lots No. 19 and 20.  
 „ Langenbeck, Joh, lot No. 15.  
 „ Lehnhardt, Franz, lots No. 44 and 46.  
 „ Heinmehl, Adolph, lots No. 44 and 47.  
 „ Bendixen, Christ., lots No. 35 and 32.  
 „ Steffenses, Niels, lots No. 33 and 34.  
 „ Rollen, Peter, lots No. 36 and 37.  
 „ Anderzen, Aeders, lots No. 38 and 39.  
 „ Herstman, Simon, lots No. 22 and 23, occupied.
- Ad. 3.—Scherer, Heinrich, lots No. 3 and 4, occupied.  
 „ Rodel, Gottlieb, lots No. 12 and 13, occupied.  
 „ Megert, Johannes, lots No. 6 and 7, occupied.  
 „ Heyden, Carl, lot No. 8.  
 „ Kahns, Frantz, lot No. 9.  
 „ Buur, Heinrich, lot No. 10.  
 „ Pentz, lot No. 11.
- Ad. 4.—Hubach, Joh., lots No. 1 and 2.  
 „ 5.—Dressler, Anton, lots No. 1 and 2.  
 „ Doller, Otto, lots No. 3 and 4.
- Ad. 7.—Hebler, Carl, lots No. 1 and 2, occupied.  
 „ Bleurler, Johannes, lots No. 3 and 4, occupied.  
 „ Witzenleiber, Hermann, lots No. 5 and 6, occupied.  
 „ Sondermann, Wilh., lots No. 7 and 11, occupied.  
 „ Winkelmann, Wilh., lots No. 12 and 13, occupied.  
 „ Triloff, Martin, lots No. 16 and 17, occupied.  
 „ Binedell, Johannes, lots No. 14 and 15, occupied.  
 „ Gous, Heinrich, lots No. 20 and 21, occupied.
- Ad. 8.—Reib, Conrad, lots No. 1 and 2, occupied.  
 „ Christiansen, Hans, lots No. 5 and 6, occupied.  
 „ Mariager, Carl, lot 7, occupied.  
 „ Schultz, Theod., lot 8, occupied.  
 „ Rühling, Edward, lots No. 9 and 10, occupied.  
 „ Gous, Christian, lots No. 11 and 12, occupied.  
 „ Binedell, Peter, lots No. 16 and 17, occupied.  
 „ Binedell, Jacob, lots No. 18 and 19, occupied.



- Ad. 9.—Brandes, Friedrich, lots No. 4 A and 4 B, occupied.  
„ Franzen, Hans, lots No. 8 A and 8 B, occupied.  
„ Wenzel, Josef, lots No. 11 A and 11 B, occupied.  
„ Braun, H., lots No. 10 A and 10 B, occupied.  
„ Binedell, Casper, lots No. 9 A and 9 B, occupied.  
„ Binedell, Heinrich, lot No. 12, occupied.

T. RISLER, Secretary.

The number of immigrants landed above 50 years of age is  
8 (eight.)

T. R.

[ K ]

RETURN showing EXPENDITURE incurred, in connection with European Immigrants, by the Cape Town Immigration Board.

RAILWAY.	Cab, Cart, and Horse Hire, &c., &c.	Landings and Shipping Charges.	Survey.	ADVANCES.				Conversion of Atwells Mill into Depot.	Rations.	Hospital, Doctor's Fees, &c.	Transport, Re-shipment.	Advertisement, Printing, Stationery.	Wages and Salaries.	TOTAL.
				Seeds.	Agricultural Implements.	Cash.	Lodgings, Tents, &c.							
£	£	£	£	£	£	£	£	£	£	£	£	£	£	£
s.	s.	s.	s.	s.	s.	s.	s.	s.	s.	s.	s.	s.	s.	s.
d.	d.	d.	d.	d.	d.	d.	d.	d.	d.	d.	d.	d.	d.	d.
57	10	5	36	2	5	42	11	0	18	2	11	99	4	4
2	1	9	9	4	4	2	12	7	10	56	8	6	396	3
11	0	18	2	11	99	4	4	2	12	7	10	56	8	6
6	11	2	1	1	1	1	1	1	1	1	1	1	1	1
1,592	11	6												

T. RISLER, Secretary.





*Sketch Plan  
of the Outspans  
Jan du Toits R. and Groen River  
situated in the Division of Worcester*

*(signed) H. C. Schunke*



PLAN

ON

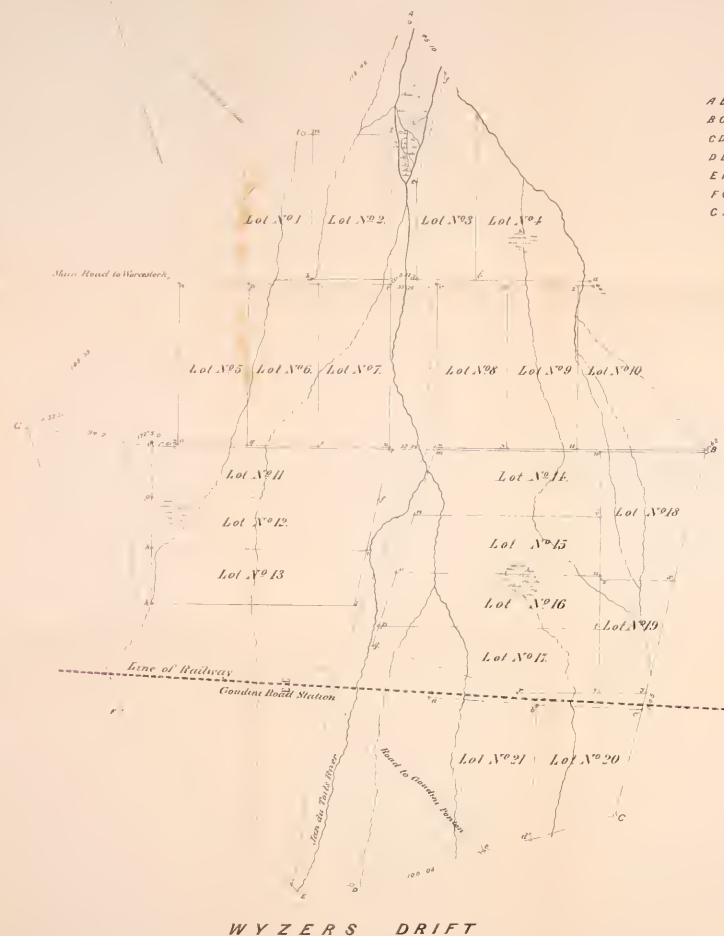
'  
RIVER

NETCY OF WORCESTER

STER

G<sup>t</sup> Sur<sup>y</sup>





Sides	Angles
AB = 376 67	A 58° 27' 0
BC = 271 79	B 151° 6' 30
CD = 200 08	C 119° 29' 0
DE = 36 78	D 171° 42' 30
EF = 18 75	E 127° 30' 10
FC = 216 38	F 153° 28' 0
CA = 406 18	C 118° 7' 30

References
Area of Lots N <sup>o</sup> 1, 2, 3, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 20 & 21 = 10 Morgen each
Area of Lot N <sup>o</sup> 3 = 8 Morgen 40 Square Rods
N <sup>o</sup> 3 & 8 Do 8 1/2 Do Do
N <sup>o</sup> 10 & 10 Do 2 1/2 Do Do
N <sup>o</sup> 19 = 5 Do 5 1/2 Do Do

Coordinates
A = + 104 29 + 604 69
B = + 67 54 + 979 56
C = + 253 91 + 1177 50
D = + 148 20 + 1129 64
E = + 48 13 + 1115 05
F = + 533 66 + 937 08
C = + 192 H + 724 17

l u and e straight line  
v. w. and m Do  
g. l. 3-66

# GENERAL PLAN OF THE LOCATION JAN DU TOIT'S RIVER SITUATED IN THE FIELD CORNETCY OF WORCESTER DIVISION OF WORCESTER

Surveyed by H. C. Schunke C<sup>o</sup> Sur<sup>r</sup>

Enlarged by H. C. Schunke C<sup>o</sup> Sur<sup>r</sup>

Scale 50 Rods = 1 Inch



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